

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE CASE NO. 5:10-cv-02604 EJD

CELEA CORPORATION SECURITIES LITIGATION

CASE NO. 5:10-cv-02604 EJD

ORDER RE: COMPLIANCE WITH CIVIL LOCAL RULE 79-5

[Docket Item No(s). 94]

Presently before the court is Plaintiff's administrative motion pursuant to Civil Local Rule 79-5(d) to file under seal portions of certain documents previously designated as confidential by Defendants or by third parties. See Docket Item No. 94.

Civil Local Rule 79-5(d) states:

If a party wishes to file a document that has been designated confidential by another party pursuant to a protective order, or if a party wishes to refer in a memorandum or other filing to information so designated by another party, the submitting party must file and serve an Administrative Motion for a sealing order and lodge the document, memorandum or other filing in accordance with this rule. If only a portion of the document, memorandum or other filing is sealable, the submitting party must also lodge with the Court a redacted version of the document, memorandum or other filing to be placed in the public record if the Court approves the requested sealing order. *Within 7 days thereafter, the designating party must file with the Court and serve a declaration establishing that the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing order, or must withdraw the designation of confidentiality.* If the designating party does not file its responsive declaration as required by this subsection, the document or proposed filing will be made part of the public record.

United States District Court

For the Northern District of California

1 Plaintiff's administrative motion was filed on August 30, 2013. From that date, Defendants
2 or any other interested party should have filed a declaration pursuant to Civil Local Rule 79-5(d) on
3 or before September 6, 2013. To date no such declaration has been filed.

4 Accordingly, the court extends the deadline for Defendants or any other interested party to
5 file a declaration pursuant to Civil Local Rule 79-5(d) until **Friday, September 12, 2013, at 4:00**
6 **p.m.** Failure to file a compliant declaration by the extended deadline will result in an order denying
7 Plaintiff's administrative motion and directing Plaintiff to file the referenced documents as part of
8 the public record - even those previously designated as confidential.

9 Lead counsel for Plaintiff shall serve a copy of this order on any other interested party who
10 has previously made confidentiality designations that may be affected by a sealing order.

11 **IT IS SO ORDERED.**

12
13 Dated: September 10, 2013



EDWARD J. DAVILA
United States District Judge

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28